

## **NOTE CONCERNING GENERAL ORDER 2-38, THEFT OF HISTORIC RESOURCES**

Virginians' pride in their state is rooted in reverence for its past. Thousands of years of habitation by Native Americans were followed by the first permanent colony of English-speaking peoples. The independence of the United States was finally won in Virginia, and the country's first president and wartime leader, George Washington, was a Virginian. The Civil War of the last century saw many Virginians--Robert E. Lee pre-eminent among them--achieve worldwide fame. Historians have estimated that 60 percent of all Civil War battles and skirmishes were fought in Virginia. Today, the primary reason tourists give for visiting Virginia is its past.

Unfortunately, whether out of ignorance or a commercial motive, some have sought to plunder Virginia's past by looting and vandalizing historic sites. "Historic site" in this context refers to marked or signposted monuments such as earthworks, houses or other buildings, as well as marked or unmarked graves, mounds, or other sites of past human activity. "Looting" does not refer to theft of artworks from museums, but instead the illegal, unscientific unearthing of artifacts--Indian beads, Civil War arms or uniform paraphernalia, for example--from archaeological sites. Law enforcers should recognize that many state and federal laws protect historical sites: General Order 2-38 summarizes applicable local and federal laws and offers investigative guidelines for detecting and arresting "thieves of time." Consider the following facts which show the need for law-enforcement involvement:

- The rising interest in our past has led to an increasing market and demand for Native American artifacts, whether legally acquired or not. One rare arrowhead was appraised at \$20,000; a Native American pot from the southwest United States was sold for \$400,000.
- To date, some of the most important arrests of looters under federal archeological protection law (the Archaeological Resources Protection Act, or ARPA) have occurred in Virginia. In 1997, two men pled guilty to illegally digging scores of holes over many acres and removing thousands of artifacts from the Colonial National Battlefield in Petersburg. The conviction of the three men entailed a prison sentence, the payment of fines, and forfeiture of assets and artifacts.
- The alarming increase in the looting of historic sites and the commercial trafficking in artifacts led Florida legislators to pass § 943.1728, a statute requiring law enforcement officers to receive instruction in skills "relating to the protection of archaeological sites and artifacts." The Florida basic law enforcement training curriculum now includes a module on the topic which covers applicable state laws, identification of equipment used by looters, how to identify a possible law violation, and appropriate investigative responses.

Federal and state laws recognize that the past is a valuable, non-renewable resource, held in trust for us and our descendants. Since many people who illegally hunt for relics or artifacts see little or no harm in what they do, law enforcers have an educational mission apart from an investigative one. Many people *legally* collect objects or artifacts for their own curiosity or for commercial purposes. The investigative guidelines outlined in General Order 2-38 address illegal activities only.

Vigorous law-enforcement investigations help maintain the objectives of state and federal laws which recognize the importance of the scientific, archeological exploration of historic sites and emphasize the importance of relics *in context* with other relics and soil characteristics. With proper study, artifacts eventually become museum displays available to anyone, the information gathered from them published in books on history, archaeology, early Native American cultures, and the Civil War.

Because the protection of historic sites is a new topic to most law-enforcement managers, the Department of Criminal Justice Services can arrange to provide a class to an agency or training academy upon request. The class will serve to stimulate interest in and concern for theft of historic resources, outline applicable laws, and offer investigative guidelines. For further information, contact the Law Enforcement Services Section, DCJS, 805 E. Broad Street, Richmond, VA 23219, 804-786-4000.

<b>POLICE/SHERIFF'S DEPARTMENT</b>		<b>GENERAL ORDERS</b>	
<b>SUBJECT: Theft of Historic Resources</b>		<b>NUMBER: 2-38</b>	
<b>EFFECTIVE DATE: July 1, 1999</b>		<b>REVIEW DATE:</b>	
<b>AMENDS/SUPERSEDES:</b>		<b>APPROVED: _____</b> <b>Chief of Police/Sheriff</b>	
<b>CALEA STANDARDS: 42.2</b>		<b>VLEPSC STANDARDS: OPR.02.01, 02.03</b>	

## NOTE

This order is for internal use only, and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third-party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

## INDEX WORDS

Archaeology; see historic resources  
 Burials  
 Caves  
 Cemeteries  
 Graves  
 Historic resources; theft of  
 Investigations; theft of historic resources  
 Looting; of historic resources  
 Relic hunting  
 Shipwrecks; looting of  
 Theft; of historic resources

## I. POLICY

The jurisdiction served by this agency includes parks, caves, cemeteries, marked and unmarked historic sites, plus other areas of potential historic interest although they may not have been excavated, studied, or otherwise presented for public enjoyment. Further, *[your locality]* is close to areas within federal jurisdiction, both national parks and other lands controlled by the U.S. government. Federal, state, and local governments are custodians of Virginia's history on behalf of all citizens, and current laws recognize this custodianship and outlaw the illegal excavation and looting of historic sites.

Officers are required to investigate fully any reports of illegal digging for artifacts and to make arrests if necessary. This order serves to heighten concern about looting of artifacts or relics, and to equip officers with appropriate investigative aids to help articulate a reasonable suspicion that a crime has occurred or is occurring, and to develop probable cause to arrest.

Private collecting has created a marketplace for antiquities, leading to high prices, thus encouraging illegal trafficking. No one has a right to enter upon private or public land without appropriate permission for the purpose of furthering one's own hobby of collecting relics.

## II. PURPOSE

To outline applicable laws concerning theft of and vandalism to historic resources and to provide investigative guidelines.

## III. DEFINITIONS

### A. Archaeology

The scientific, systematic study of past cultures through material remains.

### B. Artifact

Any example of material culture; anything made by a person or persons. Relevant examples include beads, pottery, Civil War bullets, and arrowheads. (Note that a common term used commercially and by hobbyists for artifacts is "relics.")

### C. Historic resources

Any material remains that give physical evidence of human occupation, habitation, use, or activity, of the past. "Past" encompasses the very remote past of thousands of years ago, to as recent as yesterday. For the purposes of this general order, "historic" simply means "past." "Any material remains" include **both** artifacts, defined under (B), and other materials not made by people but either used by them or which constitute meaningful clues to past environments, such as animal bones.

1. Note that Virginia law uses the term "objects of antiquity" for artifacts (and other materials) and places no time restrictions on what constitutes "antiquity."

### D. Human remains

Any material traces of deceased people.

E. Looting

The removal of historic resources from state or federal properties without appropriate permits, or from private property without permission (whether given orally or in writing, unless specifically stated by law).

1. Note: No state nor federal law prohibits the unscientific removal of historic resources from private property with the property owner's consent.

F. Object of antiquity

Any artifact, remain, skeletal material found on, in, or below the surface of the earth, which has historic, scientific, educational value (per *Virginia Code* § 10.1-2302).

#### IV. PROCEDURES - Legal Background

A. Applicable state laws

This section summarizes applicable laws because many of them are unfamiliar to officers. Note that some pertinent laws are not found with other criminal statutes in § 18.2. Refer to the *Virginia Code* for the entire text of the statutes listed below.

1. Trespass: Trespass offenses almost always apply when looting occurs.
  - a. After being forbidden to do so either orally, in writing, or by a posted sign, a person who goes upon another's property has violated § 18.2-119.
  - b. A person who encourages or instigates others to trespass has violated § 18.2-120 (misdemeanor).
  - c. A person who trespasses to dig for artifacts also violates § 18.2-121 (entering property of another for purpose of damaging it, a misdemeanor).
2. Graves and cemeteries
  - a. Disturbing, removing, or displacing human bodies or body parts from *any property*, private or public, with or without a property owner's permission, is a felony unless the excavator has either a permit from the Department of Historic Resources (DHR) or a circuit court order (§ 18.2-126, violation of sepulchre). *Note that no private person may consent to disturbing or excavating a human burial anywhere.*

- b. Removing, damaging, or destroying grave flowers or wreaths on church cemetery property is a misdemeanor, while destroying, removing, or defacing a permanent structure within church property or any other place of burial is a felony (§ 18.2-127).
- c. *Any type* of archeological investigation involving the removal of human skeletal remains *or* any associated artifacts from a human burial, no matter where located, requires an archeological permit from DHR (violation of which is a misdemeanor under § 10.1-2305). Appendix B to this order contains a sample permit for the removal of human burials.
- d. Buying or selling human bodies or trafficking in dead human bodies to any place outside Virginia is a misdemeanor (§ 32.1-303).
- e. With limited exceptions, selling, offering to sell, buy, or offering to buy a human body part *for any reason* except for certain medical and scientific purposes is a felony (§ 32.1-289.1).

### 3. Vandalism

- a. Destroying, defacing, or damaging *any* property, personal or real, any Civil War marker or city/town/county boundary marker is either a misdemeanor (damage or value under \$1000) or a felony (over \$1000, per § 18.2-137).

### 4. Protection of caves: Caves and rock overhangs receive special protection under Virginia law, as follows. Note that various federal laws protect caves and the archaeological resources within them, namely § 16 *United States Code* 4301 through 4309.

- a. Before excavating or removing any archeological or historic feature of any cave, in addition to the property owner's *written* permission a person must have a permit from the Department of Conservation and Recreation (without a permit, a misdemeanor per § 10.1-1003).
- b. A person who, without the property owner's *written* permission, breaks off, carves upon, or in any manner marks or harms the surfaces of any cave or natural material therein, tampers with any gate or obstruction designed to prevent access, or excavates, removes, defaces any archeological materials, bones, or remains of historic human activity has committed a misdemeanor (§ 10.1-1004).

5. Underwater resources

- a. A person who conducts *any type* of recovery involving the removal, destruction, or disturbance of *any underwater historic property* without first obtaining a permit from the Virginia Marine Resources Commission has committed a misdemeanor (§ 10.1-2214).
  - (1) For enforcement purposes, artifacts on river or lake bottoms, whether associated with shipwrecks or not, can be assumed to be state-owned.
- b. A person who dumps, trespasses, encroaches upon or over, or takes and uses *any* materials from the beds of bays, rivers, streams, or creeks which are property of the commonwealth has committed a misdemeanor unless he or she possesses a permit (§ 28.2-1203).

6. State-controlled property

- a. Persons who conduct *any type* of field investigation, exploration, or recovery involving the removal, disturbance, or destruction of objects of antiquity from state-controlled property have committed a misdemeanor unless they have a permit from DHR (§ 10.1-2302).
  - (1) See Appendix A to this order for a sample permit to conduct archaeological excavations.
- b. A person who intentionally defaces, damages, destroys, disturbs, or removes any object of antiquity from a state archeological site or other state-controlled property has committed a misdemeanor (§ 10.1-2306).

B. Applicable federal law

- 1. The Archaeological Resources Protection Act (ARPA), as amended, 1988, provides the most significant federal law-enforcement tool with an application to local law enforcement, carrying both misdemeanor and felony penalties (§§ 16 *United States Code* 470aa-470mm; the criminal penalty found under 470ee). Its key provisions include the following.
  - a. No person may excavate, remove, damage, or otherwise alter or deface any archaeological resource (or attempt to do the same) on public or Indian lands without a permit.

- (1) Protected resources under ARPA include material remains of past human existence, of archaeological interest, *and* which are over 100 years old.
  - b. No person may sell, purchase, transport, receive, or offer to sell or purchase any archaeological resource *in violation of any law, regulation, or permit under state law*.
  - c. No person may perform the actions specified under (b) above in interstate or foreign commerce, *in violation of any law, regulation, or permit under state law*.
    - (1) *Note that any violations of state laws incidental to illegal excavation or theft of archaeological resources [as defined under a.(1) above] which involve interstate commerce become federal violations.*
  - d. Penalties: A person violating any of the provisions above commits a felony if the value of the archaeological resources involved and the restoration or repair of the damaged or looted resource exceeds \$500 (if less, a misdemeanor). ARPA also requires forfeiture of all equipment, vehicles, and tools used in taking, or attempting to take archaeological resources.
2. Native American Grave Protection and Repatriation Act (NAGPRA), § 18 *United States Code* 1170.
- a. Provisions: Any person who knowingly sells, purchases, uses for profit, or transports for sale or profit human remains and associated cultural items of Native Americans *without right of possession* may be guilty of misdemeanor or felony penalties.
3. Abandoned Shipwrecks Act (See parallel state law under IV.A.5 or this order.)
- a. Provisions: This act assigns jurisdiction over shipwrecks in state waters to the respective states.
  - b. As a practical matter, law-enforcement officers will have no way of determining if a shipwreck belongs to state or federal jurisdiction. Nevertheless, *any one diving on a wreck* and looting artifacts from it or otherwise disturbing it must possess a permit from either state or federal authorities.



## V. PROCEDURES - Investigative Methods

- A. Officers shall bear in mind that neither federal nor state law (generally) regulates historic resources on private land. Persons excavating or otherwise disturbing artifacts in the ground on private property, with the owner's consent (**except for burials or in a cave, where only possession of a permit renders the activity legal**), have committed no offense.
    - 1. Officers shall at least conduct a preliminary inquiry when observing persons using metal detectors or other sensing devices and digging tools on any public property, state- or federally-controlled.
      - a. It is a federal offense to bring metal detectors or artifacts onto national park properties. People possessing either shall be detained and a park law-enforcement officer shall be summoned.
  - B. When patrolling on or near either state or federally-controlled property, including national parks, officers shall place under surveillance any person(s) using metal detectors or digging equipment on such property. If federal property, officers shall contact the dispatcher and request assistance from federal law enforcement agents who, upon arrival, shall begin an investigation. On state-controlled properties, officers may request assistance from the State Police.
- [Note: Local law-enforcement agencies that patrol federal property including national parks, either through a cooperative aid agreement or contract, may be responsible for enforcing the provisions of ARPA. In these circumstances, local officers may act on their observations and engage suspects in a field interview. Further, some state/local agencies may have concurrent jurisdiction with the U.S. Forest Service over national forest property.]*
- C. In conducting surveillance of possible looters, observe the following:
    - 1. Furtive behavior of suspects (hiding from passers-by or watching for approaching persons);
    - 2. Attempts to disguise their activities (camouflaged clothing and equipment);  
or
    - 3. Specific instances of digging.
  - D. At all times, observe officer safety techniques.
    - 1. Perform a records check on all suspects.

2. Looters may carry firearms; some have been arrested with drugs in their possession.
  3. Looters may have a nearby "stash" of equipment, illegally-excavated items, and perhaps weapons.
- E. Violations of historic resources protection laws can be difficult to investigate: few crimes are discovered in progress and historic sites are too numerous to monitor intensively. If the officer discovers a site that he or she suspects has been looted and has historic value, document the incident and contact the state archaeologist in Richmond (804-786-3143) as soon as practicable. Sites showing signs of very recent illegal activity might be placed under surveillance.
- F. If the officer encounters suspects who may have committed or are committing violations of the offenses specified in this directive, the following specific clues support reasonable suspicion to investigate further:
1. Suspect's vehicle is left outside the historic area. Vehicle's proximity to protected public areas may be significant. Be sure to look into the vehicle's interior, if possible, for further clues to illegal digging. See GO 2-1 for further guidance on plain-view seizures.
  2. If a suspect claims to be transporting legally-possessed artifacts, check to see whether the artifacts appear to be recently or freshly dug up.
  3. Suspect may claim to have obtained artifacts from private property (with consent), yet may possess maps of protected lands with site markings on them. If suspect admits to obtaining artifacts from private property without the owner's consent, then trespass and possibly larceny have been committed and the artifacts should be confiscated as evidence. Consult the list of statutes above.
  4. Both digging tools and the suspect's clothing may be camouflaged to avoid reflecting light. If a summons is to be issued for violation of any laws herein described, confiscate tools and the suspect's clothing as well as artifacts.
    - a. Tools used for looting may include: metal detectors with headsets; hand spades; insulated coveralls; topographical maps; flashlights; batteries; a compass; picks; a wood-framed sifting screen to sort out artifacts from dirt; face masks to inhibit dust inhalation; preservatives for artifacts (such as cotton soaked in lubricating solution); backpacks; trowels; small brushes; metal rods up to five feet long with a T-handle (used to probe for human remains and artifacts by noting changes in soil density); a "flipper" (usually a stick or staff

used to overturn surface debris to locate artifacts); two-way radios and scanners; cameras.

5. Time of day: Suspects located with digging equipment at 3:00 a.m. will find it difficult to give a credible explanation.
  - a. Looters frequently operate at night and on holidays when local officials--such as park rangers--are generally absent. Looters sometimes work in teams, with one or more persons posted as lookouts.
  - b. Be aware that looters have sometimes threatened landowners or passers-by with firearms.
6. Informants: The most likely sources of information about violations of historic resources preservation laws are people who use the outdoors avocationally or professionally. Hikers, farmers, campers, hunters, and fishermen may witness an act of looting, or encounter a ravaged site.
  - a. Some looters hide digging tools or screens at or near the scene of the illegal digging, thus indicating their intention to return soon.
7. Artifacts: If uncertain whether any artifacts in a person's possession may be contraband **and** the materials include what appear to be recently-dug human remains, confiscate the materials (pending further investigation), first inventorying (and photographing) all items. Have the suspect sign the inventory.

G. Probable cause exists to arrest whenever:

1. A suspect admits to digging or collecting without a permit on protected properties; or
2. A suspect admits to digging or collecting without the owner's consent on private property; or
3. A suspect admits to removing artifacts or associated items from **any** burial, whether on private or public property, without a permit; or
4. A suspect has in his or her possession artifacts that came from a burial and cannot produce a permit to allow a burial excavation. The suspect might also be charged with offenses relating to trafficking in stolen property. A federal charge applies if items illegally excavated in Virginia are sold out of state.

- a. The officer will find it difficult to determine if artifacts came from burials. Contact the office of the state archaeologist or contact one of the archaeologists listed on the call-out sheet. *[Contact the Law Enforcement Services Section, DCJS, for the most recent version.]*
  - b. Paragraphs #1 and #2 in this section apply both under state and federal law.
- H. Underwater historic resources: Officers who encounter divers or others who appear to be disturbing, excavating, or otherwise tampering with an underwater site, **particularly shipwrecks**, shall be questioned about their activities. Anyone found to be excavating or disturbing a shipwreck **without a federal or state permit** is very likely committing a crime. In such cases, write a comprehensive case report, summon federal law enforcement officials, if possible, to assist in determining jurisdiction, make an inventory of all artifacts in divers' possession, and have the diver sign it. Contact the state archaeologist as soon as practicable.
- I. Remember that it is not illegal to be a dealer or collector of antiquities. For most people, collecting and selling are lawful. That a person is identified as a collector or dealer does not, by itself, furnish reasonable suspicion nor probable cause that a crime has been/is being committed.
- J. Managing the crime scene
  - l. A site of suspected illegal digging or disturbance must be treated as a crime scene. Apply techniques for processing the crime scene and securing physical evidence as detailed in GO 2-15.
    - a. Pay particular attention to soil evidence. In some cases, individual characteristics can be identified within the dirt associated with artifacts or other materials, and then linked to a specific site. Soil evidence will also assist comparison with samples collected from the suspect's clothing, person, or vehicle.
    - b. Preserve dirt attached to the suspect's footwear and tools. Dirt samples from a site are particularly important evidence: obtain control samples plus samples from any holes. Cast tool and shoe impressions.
    - c. Officers may or may not be able to identify recovered or discarded artifacts for what they are: artifacts. An archaeologist must be consulted (see below). In documenting the crime scene, officers will take care to sketch it accurately and to scale. Items may be listed

(and separately photographed) in terms of material (stone, bone, metal, clay, or ceramic) and broad type (bullet, button, or bead).

2. Because of the comparatively unusual nature of the crime scene, officers shall, upon reasonably securing the site, obtain the assistance of a qualified archaeologist as soon as practicable. Contact the state archaeologist or an archaeologist on the call-out list.
  - a. An archaeologist helps determine the amount of damage to the site, helps with crime scene photographs, and in identifying, collecting, marking, and preserving physical evidence. The archaeologist may even help "profile" the offender as a private collector, commercial looter, or otherwise. Further, archaeologists can help prepare search warrants. The archaeologist can write a narrative report to supplement the case report. Although not required by state law, an assessment of the amount of damage to a site by an archaeologist is essential to the investigation.
3. If probable cause exists to arrest under any of the statutes cited, issue a summons or physically arrest, if appropriate. Confiscate all evidence, fruits, or tools of the crime. When issuing summonses, make use of the trespassing offense if no other crime can be charged: offenses that violate state or federal antiquities laws can be charged later if further investigation appears warranted. Document the incident thoroughly.
4. Underwater sites containing historic resources have the same status as those on land, although an underwater crime scene will prove difficult to process. An archaeologist's assistance will be necessary to evaluate the site and the theft/vandalism of it.

## VI. RESOURCES

As noted earlier, the unusual nature of the crime of theft of historic resources requires assistance of an archaeologist. During routine business hours, call the state archaeologist in Richmond, 804-786-3143. The state archaeologist will try to evaluate the circumstances over the telephone, and may send a staff archaeologist to investigate, or may refer the officer to a local town or county archaeologist. If calling the state archaeologist is not practicable, contact an archaeologist on the call-out list.

***[N.B. Some localities--towns, particularly--may have adopted ordinances which also restrict illegal acquisition of antiquities. These ordinances probably are enforceable as misdemeanors.]***

## Appendix A

(On Department of Historic Resources letterhead)

Date

Name of Applicant

RE: Request for Permission to Conduct Archaeological Field Investigations at [Site Name]  
Permit # xx-xxxx-P

Dear Name:

In accordance with Section 10.1-2300 of the *Code of Virginia*, the Virginia Antiquities Act, effective July 1, 1989, and following review by the Division of Project Review, the Department of Historic Resources on this [date], hereby grants to [name of applicant] permission to conduct field investigations at [site name], property under state ownership. This permit (Permit # xx-xxxx-P) is considered effective as of today's date, all necessary documentation and review having been completed and approved.

The granting of this permit signifies that:

1. The department has found the permittee qualified pursuant to Section 10.1-2300(B) of the *Code of Virginia* to conduct these investigations;
2. The department has received from the permittee and has approved a statement of research reasons, objectives, and strategies for excavation;
3. The department finds that granting the permit is in the best interest of the Commonwealth;
4. All archaeological objects of antiquity recovered from these investigations, as well as all field records and photographs, are the property of the Commonwealth of Virginia and will be placed in a depository agreed upon by the department upon completion of the investigations pursuant to Section 10.1-2300(C) of the *Code of Virginia*;
5. The archaeological collections and accompanying documentation must meet the standards set forth in the State Curation Standards as issued by the department.

This permit is granted subject to the following conditions:

1. The permittee shall carry out the field investigation in accordance with the approved research statements in Item 2 above, or shall obtain the prior written approval of the department for any change;

## Appendix A

## **Appendix A**

2. The permittee shall inform the department of the initiation and completion of all work under this permit;
3. The permittee shall provide a final report within 90 days of completion of all work under this permit;
4. The permittee shall be required to carry a copy of the permit during all field work;
5. The department reserves the right to revoke this permit upon the initiative of the Director, or upon the request of any interested party for violations of any of the above conditions or if good cause is demonstrated.

This permit shall be valid for one year from the date of issuance. This permit is not transferable.

Sincerely,

H. Alexander Wise, Jr.  
Director

## **Appendix A**

## **Appendix B**

(On Department of Historic Resources letterhead)

Date

Name of Applicant

RE:               Application for Archaeological Removal of Human Burials at [Name of Site]  
                    DHR File NO. xx-xxxx-F

Dear Name of Applicant:

In accordance with Section 10.1-2305 of the *Code of Virginia*, final regulations adopted by the Virginia Board of Historic Resources and published in the Virginia Register on July 15, 1991, and following review by the department, the Department of Historic Resources on this [date], hereby grants to [name of applicant] permission to conduct archaeological investigations involving the removal of human remains and associated artifacts from unmarked human burials on [name of site] in the [name of city or county], Virginia. This permit is to be considered effective as of today's date.

### **The granting of this permit signifies that:**

1. The department has received from the permittee and has approved a statement detailing the goals and objectives of the project and the proposed research strategy;
2. The department has reviewed the vitae of the individuals who will perform the proposed work and has found them qualified to complete the work;
3. The department has received accurate information as to the location and description of the archaeological site for which the field investigation is proposed, including the site number;
4. The department has received assurances that there are adequate resources to carry out the research design;
5. The department has received a written statement of the landowner's permission both to conduct such research and to remove human remains on his property and allowing the Director or his designee access to the field investigation site at any reasonable time for the duration of the permit;
6. The department has received from the permittee and has approved a statement describing the appropriate disposition of the remains upon completion of the research;
7. The department has received and approved a copy of the public notice and has further determined that public notification may proceed for a period of four consecutive weeks;

## **Appendix B**



## **Appendix B**

8. The department has been provided information as to whether this permit is part of a federal, state, or local government undertaking.

### **This permit is granted subject to the following conditions:**

1. The permittee shall publish or cause to be published a copy of the public notice approved by the Director in item 7 above in the newspaper once each week for four consecutive weeks. The permittee shall provide the department with documentation of the actual publication within 45 days of its publication. Failure to make such publication can result in the revocation of this permit or future permits;
2. The permittee shall carry out the field investigation in accordance with the approved research statement in Item 1 above, or shall obtain the prior written approval of the department for any change;
3. The permittee shall provide summaries of data and results of ongoing excavations, study, or collections in a final report within one year of completion of all work under this permit; copies of any further reports shall be provided to the department in accordance with the approved research statement in Item 1 above;
4. The permittee shall inform the department of the initiation and completion of field work, and of the final disposition of the remains;
5. The permittee shall provide for storage and maintenance of the remains of the unknown persons in a proper and dignified manner until such time as final disposition has been made;
6. The department reserves the right to revoke this permit upon the initiative of the Director, or upon the request of any interested party for violations of any of the above conditions or upon a showing of good cause.

This permit shall be valid for one year from the date of issuance. This permit is not transferable.

Sincerely,

H. Alexander Wise, Jr.  
Director

## **Appendix B**